

PROPOSED RULE MAKING (RCW 34.05.320)

	CR-102 (7/22/01)
Do	NOT use for expedited
	rule making

Federal Court Decision?	1889 100	(11011 34.03.320)		rule ma	king
Expedited Rule Making — Proposed notice was filed as WSR	Agency: Public Disclosure Commission			Original Notice	
Expedited Rule Making — Proposale That 300 AS 310(4). (a) Title of rule: (Desoribe Subject) Title 300 WAC — Rules relating to independent expenditures, sample ballots and slate cards, reports flied by nonreporting committees, exempt activities and the definition of Caucus of the State Legislature. Purpose: To clarify and implement changes to RCW 42.17 and to simplify and streamline the campaign reporting process for candidates and political committees. Other identifying information: (b) Statutory authority for adoption: RCW 42.17.370(1) (c) Summay: The proposed rule changes would repeal one rule, amend the form and reporting requirements for noureporting committees, implement RCW 42.17.103, clarify definitions of exempt activities and sample ballots and slate cards, and simply reporting of independent expenditure political advertising. Reasons supporting proposal: The proposed new rule and rule amendments conform to statutory changes under RCW 42.17.103, clarify requirements of noureporting committees, provide guidance to political party committees on the use of exempt funds, and define "top five contributors" for the purpose of political advertising by independent expenditure committees. (d) Name of Agency Personnel Rasponsable for: Office Location, Pol 711 Captol Way, Rm 206, Olympia (360) 664-2735 2. Englementation Doug Ellis POC 711 Captol Way, Rm 206, Olympia (360) 664-273 3. Enforcement Phil Stutznan POC 711 Captol Way, Rm 206, Olympia (360) 664-273 3. Enforcement Phil Stutznan POC 711 Captol Way, Rm 206, Olympia (360) 664-273 4. Poch and proponent (person or organization). Public Disclosure Commission POC 711 Captol Way, Rm 206, Olympia (360) 664-273 3. Enforcements Phil Stutznan POC 711 Captol Way, Rm 206, Olympia (360) 664-273 4. Poch and proponent (person or organization). Public Disclosure Commission POC 711 Captol Way, Rm 206, Olympia (360) 664-273 4. Poch Poch Poch Poch Poch Poch Poch Poch	Preproposal Statement of Inquiry was fi	led as WSR 02-04-049 · or		• • • •	ce
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(j) Short explanation of rule, its purpose, and anticipated effects: The proposed rule changes would conform with statutory changes under RCW 42.17.103 which requires the reporting of independent expenditures within 24 hours of first being published or presented to the public during the 21 days before an election and would also specify the requirements and the kinds of committees that file PDC form C-5. The rule amendments define "Top Five Contributors" under RCW 42.17.510(2) and allow political committees to identify the top five contributors giving to the committee to underwrite political advertising for a specific independent expenditure. The definition of caucus of the state legislature is repealed.					
The proposed rule changes also references the Washington State Supreme Court's decision regarding issue advocacy and the use of exempt funds, allows generic get-out-the-vote activity, regardless of the number of candidates benefited, to be funded with exempt contributions, and clarifies that at least three candidates must be listed on sample ballots and slate cards and that the distribution of sample ballots and slate cards must be within a geographical area where voters are eligible to vote for at least three candidates listed.					
The proposed rule changes provide guidance and clarification to candidates and political committees on current statutory requirements.					
Does proposal change existing rules? ⊠ YES ☐ NO If yes, describe changes:					
The proposed changes clarify, simplify and streamline the campaign reporting process for candidates and political committees.					
(k) Has a small business economic impact statement been prepared under chapter 19.85 RCW?					
Yes. Attach copy of small business economic impact statement. A copy of the statement may be obtained by writing to:					
telephoning: () faxing: ()					
 ☒ No. Explain why no statement was prepared The implementation of these rules does not impact small businesses. 					
(I) Does RCW 34.05.328 apply to this rule adoption? Yes No Please explain:					
The PDC is not an agency listed in subsection (5)(a)(i) of section 201. Further, the PDC does not voluntarily make section 201 applicable to this rule adoption pursuant to subsection (5)(a)(ii) of section 201, and to date JARRC has not made section 201 applicable to this rule adoption.					

AMENDATORY SECTION (Amending WSR 02-03-018, filed 1/4/02, effective 2/4/02)

WAC 390-16-050 Forms for contributions and expenditures of out-of-state or federal political committees ((not domiciled in Washington state)). The official form for the report of contributions and expenditures of political committees (a) registered with the Federal Election Commission, (b) not domiciled in Washington state, or (c) otherwise not required to report under RCW 42.17.040, 42.17.065, or 42.17.080 is designated "C-5," revised ((1/02)) 6/02. Copies of this form are available at the Commission Office, Room 206, Evergreen Plaza Building, Olympia, Washington 98504-0908. Any paper attachments shall be on 8 1/2" x 11" white paper.



PDC form C-5 (11/93) **f -----

FORM C5	P M O A S R T K	PDC OFFICE USE
1/02	- E	

CONTINUE ON REVE

OUT OF STATE OR FEDERAL COMMITTEE CONTRIBUTION TO WASHINGTON CANDIDATES OR COMMITTEES

Name and address of committee making contribution		1	2. Check appropriate box	
\			This is the first report	submitted during
			19	. He says at
			or information change	enditures, contributions and from reports
·			submitted previously	this calendar year.
 Explain briefly the purpose or all liation of the committee. John Doe, or a PAC of members of the United Worker's U 	(e.g., A PAC of employees	of XYZ Trade Assr	n., or the election committee	e of US Senator
John Doe, or a PAC of members of the United Worker's O	mon.,		i e	
Officers or responsible leaders of committee Name and addres	•		THE	
Name the address			Title	
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 Candidate contributions: List each Washington candidate Candidate's name 		-		
Candidate's name	Office sought	Political part	by Date	Amount given
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•	,			
6. Ballot measure committee contributions: List each Washing	aton committee supporting	or opposing a ballo	nt measure to whom you ha	ve made a contribution of
more than \$50.00. Committee name and address	4 '	· \	1	
Committee name and address	Ballot number	For or agains	st? Date	Amount given
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				•
7. Other contributions and expenditures: List each other contri	ribution or expenditure of m	ore than \$50.00 m	ade to or on behalf of any \	Washington state or local
candidate, ballot measure or political committee. Recipient's name and address	Bur	pose	Data	Amount divon
necipient's name and address	Fui	pose	Date	Amount given
			. ,	
Check here if continued on attached sheet				
Total contributions and expenditures (Add parts 5, 6, 7)	· · · · · · · · · · · · · · · · · · ·			\
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CAUTION: Failure to report transaction	ne within ten dave will	Cauca the fund	e to forfeit to Wookings	ion State
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Contributions received from Washington residents:	List all contrib during the cu in Washingto	st all contributions of more than \$25.00 in aggregate to this out of state, federal or other committee uring the current calendar year from Washington residents or corporations with a place of business Washington.			
Name and address			Date ·	Amount	
Check here if continued on attached sheet		-			
 Eligibility to Give to State Office Candidates: Dimonths prior to making a contribution to a legislative executive candidate, your committee must have contributions of \$10 or more from at least ten persons vote in Washington State. 	or statewide ve received	(Statutory reference) WHO A political committee not domiciled		iton, a federal commit-	
A check here indicates your awareness of an comply with this provision. Absence of a check your committee does not qualify to give to leg statewide executive office candidates.	mark means	tee or other committee not required made contributions to a state or lo ington state. WHE	no register under Wasi cal candidate or politica N TO REPORT	nington law, which has al committee in Wash-	
 Certification: I certify the information contained in true, complete and correct to the best of my knowledg 		A C-5 report is due within ten days committee receiving a contribution eral PAC. After filing an initial C-5 calendar year may be filed by letter ously reported. These follow-up reptribution's receipt.	of more than \$50 from report, subsequent rep updating or amending	an out-of-state or fed- corts during the same the information previ-	
ignature of Committee Official		SENI Public Dis 711 Capit	D REPORT TO closure Commission of Way, Room 206		
ame - Typed or Printed		PO Box 4	nona 🔪		

Be sure to notify each contribution recipient that you have filed this eport, in order that they are aware they may spend the contribution ilven to them.)

Title

Daytime Telephone No.:

Olympia, WA 98504-998

VIOLATIONS AND PENALTIES

- Candidates for legislative office have a contribution unit of \$500 per election. Candidates for statewide executive office have a limit of \$1,000 per election. Each primary and general is a separate election.
- It is a violation of law for any person to make, or for any political committee or any local or judicial candidate to accept from any one person, contributions in the aggregate exceeding \$5,000 within 21 days of a general election
- Failure to report contributions and file the information required by bis report within 10 days after the Washington candidate or committee receives the funds will cause the funds to be returned or forfeited to the state.



PDC form C-5 (6/02)**1

C56/02

PDC OFFICE USE

CONTINUE ON REVERSE

OUT OF STATE OR FEDERAL COMMITTEE CONTRIBUTION TO WASHINGTON CANDIDATES OR COMMITTEES

Name and address of committee making contribution		2. 0	heck appropriate box	
			This is the first report	t submitted during
				enditures, contributions
			or information chang	ed from reports
			submitted previously	······································
Explain briefly the purpose or affiliation of the committee.John Doe, or a PAC of members of the United Worker's U		of XYZ Trade Assn., o	r the election committe	e of US Senator
	,			
Officers or responsible leaders of committee				· · · · · · · · · · · · · · · · · · ·
Name and addres	s		Title	•
•	-			•
•				
5. Candidate contributions: List each Washington candidate	for state or local office to wh	nom you have made a	contribution of more th	nan \$50.00.
Candidate's name	Office sought	Political party	Date	Amount given
•				
			,	
 Ballot measure committee contributions: List each Washin more than \$50.00. 	gton committee supporting	or opposing a ballot m	easure to whom you h	ave made a contribution of
Committee name and address	Ballot number	For or against?	Date	Amount given
			·	
7. Other contributions and expenditures: List each other cont	ribution or expenditure of m	ore than \$50.00 made	to or on behalf of any	Washington state or local
candidate, ballot measure or political committee. Recipient's name and address	Pun	pose	Date	Amount given
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Check here if continued on attached sheet				
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. Total contributions and expenditures (Add parts 5, 6, 7)				
CAUTION: Failure to report transaction	ne within ten days will	naugo the funds to	forfall to Mark!	eton Cinto
CAUTION: FARGE TO PEDON TRAISSCUO	IIIW EVED HS) Infility Cit	Cause the Junas 10	A TOLIER TO MASURY	uon Sixië.

•	List all contril during the cu in Washingto	butions of more than \$25.00 in aggregate irrent calendar year from Washington resk n.	to this out of state, fed- dents or corporations w	eral or other committee ith a place of business		
Name and address			Date	Amount		
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Check here if continued on attached sheet						
		NOT	PUCTIONS			
10. Eligibility to Give to State Office Candidates: During months prior to making a contribution to a legislative or executive candidate, your committee must have	statewide	Į .	RUCTIONS ce: RCW 42.17.090 (1)(K))		
contributions of \$10 or more from at least ten persons requote in Washington State.		WHO I A political committee not domiciled in	MUST REPORT in the State of Washin	gton, a federal commi		
A check here indicates your awareness of and comply with this provision. Absence of a check mayour committee does not qualify to give to legisl	ark means	tee or other committee not required made contributions to a state or loc ington state.	to register under Was	hington law, which ha		
statewide executive office candidates.		WHEN TO REPORT				
Certification: I certify the information contained in this true, complete and correct to the best of my knowledge.	report is	A C-5 report is due within ten days committee receiving a contribution of eral PAC. After filing an initial C-5 calendar year may be filed by letter ously reported. These follow-up reportion's receipt.	of more than \$50 from report, subsequent re updating or amending	an out-of-state or fed ports during the same the information previous		
Signature of Committee Official		SENC	REPORT TO			
Name - Typed or Printed		711 Capito PO Box 40	closure Commission of Way, Room 206 0908 WA 98504-0908			
		VIOLATION	S AND PENALTIES			
Title		Candidates for legislative office is Candidates for statewide execute Each primary and general is a se	nave a contribution limive office have a limit			
Daytime Telephone No.: ()	filed this	It is a violation of law for any pers any local or judicial candidate to the aggregate exceeding \$5,000	on to make, or for any accept from any one p	erson, contributions in		
Be sure to notify each contribution recipient that you have report, in order that they are aware they may spend the contributed to them.)		Failure to report contributions ar within 10 days after the Washir funds will cause the funds to be in the second se	d file the information	required by this repor		